

U.S. Serial No. 09/986,575
Response to Office Action dated June 2, 2005

Remarks

Claims 5 and 6 are canceled without prejudice or disclaimer as being redundant. Claim 2 is amended to more clearly define the claimed invention. Fig. 4 is amended to correct the wording found in blocks S4 and S6 of the drawing. Support for the correction of block S4 is found at page 17, lines 9-12; and support for the correction of block S6 is found at page 16, lines 19-22.

The Applicants respectfully submit that no new matter is added. Only Claims 2, 3 and 4 remain for prosecution herein. It is believed that this Response is fully responsive to the Office Action mailed June 2, 2005.

Claim 2, the only independent claim, as now presented, is to a foldable portable communication terminal device including a casing that has a main body case and a lid case openably connected thereto and a power source circuit for supplying power to a device body, an on/off circuit for turning on/off power supply from the power source circuit to the device body, and a power supply control circuit for controlling operation of the on/off circuit. The casing has a plurality of manual keys so arranged in positions whereby the manual keys can be depressed with the casing closed, the power supply control circuit turning off the on/off circuit when the plurality of manual keys are simultaneously held depressed for at least a predetermined period of time following detection of the lid case being closed, and not turning off the on/off circuit following detection of the lid case being open. Such an arrangement is not taught or suggested in the prior art.

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Claims 2-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Maloney (U.S. Patent No. 6,453,169) in view of Callaghan et al. (Pub. No. US 2005/0020305). Reconsideration and removal of this rejection is respectfully requested.

Regarding Claim 2, it is alleged in the Office Action that Maloney teaches a foldable portable communication terminal device comprising a casing having a main body case (12) and a lid case (14) operably connected thereto and having a power source circuit for supplying power to a device body; on/off circuit (112) for turning on/off power supply from the power source circuit to the device body; and a power supply control circuit (50) for controlling operation of the on/off circuit, the casing having a plurality of manual keys (36, 40) so arranged on a position as to be depressed with the casing closed, the power supply control circuit turning off the on/off circuit when one of the manual keys (40) is held depressed for at least the predetermined period of time.

It is further alleged that Maloney fails to teach the power supply control circuit turning off the on/off circuit when the plurality of manual keys are simultaneously held depressed for at least the predetermined period of time, but that Callaghan et al. teaches such feature, as described in [0060] and [0082].

As shown above, Claim 2 is presently amended to include differing operations of the terminal device depending on whether the lid case is detected as being closed or open. Disclosure of such operation is found in the present specification at pages 16-18 and in Fig. 4. In Fig. 4 the detecting step is indicated in block S1.

It is respectfully submitted that Claim 2 is now distinct and non-obvious in view of Maloney and Callaghan et al., at least for the following reasons.

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Callaghan et al. does not teach a “lid case” or comparable component on the Data Entry System.

In Maloney, as shown in Fig. 10, the only functions caused by depressing power switch (40) are: 1) powering the phone on/off (154), and 2) silencing an incoming call (146). Both 1) and 2) are carried out whether the lid case is open or closed. Whether they are carried out is dependent on the duration of depressing the power switch (40). Having the lid case open or closed does not cause functions different than 1) and 2) to take place. In the present claimed invention different functions are carried out depending on whether the lid case is open or closed.

In view of the amendment to Claim 2 and the above remarks, reconsideration and removal of the present rejection is respectfully requested.

Regarding Claim 3, it is alleged in the Office Action that Callaghan et al. further teaches the plurality of manual keys each are changed over between different functions depending on whether the casing is opened or closed as described at [0060] and [0082].

It is respectfully submitted that the Applicants do not find a teaching of a casing having a body case and a lid case which is openably connected thereto in the Data Entry System of Callaghan et al. Callaghan et al. does not include a “lid case” or any component comparable to a “lid case” thus an opened or closed casing is not possible.

In view of the above remarks, reconsideration and removal of this rejection is respectfully requested.

Regarding Claim 4, it is alleged in the Office Action that Maloney further teaches the plurality of manual keys comprises two manual keys (36), the casing has a display exposed to the outside with the casing closed, and the two manual keys each perform a function of a volume up key or a volume

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down key for adjusting volume of incoming speech with the casing opened, and further that Callaghan et al. teaches the keys each perform a function of a scroll up key (24) or a scroll down key (22) for scrolling the display with the casing closed ([0060] and [0082]).

It is respectfully submitted that the Applicants do not find the above allegations in Maloney and Callaghan et al. Firstly, in Maloney, neither of the manual keys 36 (Fig. 3) which allegedly control the volume of incoming speech, is the same “manual key” alleged to correspond to the manual key (40) for turning off the on/off circuit, as discussed above in relation to Claim 2, from which Claim 4 depends. As defined by Claim 4, the manual keys for controlling different functions are the same manual keys as those used for turning off the on/off circuit. Secondly, in Callaghan et al., as discussed above, no component corresponding to the claimed “lid case” is taught. Thus an opened or closed casing is not possible.

In view of the above remarks, reconsideration and removal of this rejection is respectfully requested.

It is believed that claims 2-4 are patentable and are now in condition for allowance. Allowance of Claims 2-4 is respectfully requested.

If there are any issues of a minor nature remaining, the Examiner is urged to contact Applicants’ attorney, the undersigned, at Area Code (202) 659-2930.

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In the event that any fees are due in connection with this paper, please charge our Deposit
Account No. 01-2340.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'William G. Kratz, Jr.', with a stylized, cursive script.

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In the Drawings :

Please replace the drawing of Fig. 4 with the enclosed replacement drawing.



FIG.4

